

REMARKS

Applicant appreciates the Office Action of October 19, 2004, and the Examiner's clear and concise remarks contained therein. The Office Action has been carefully considered and the application has been amended accordingly. Specifically, the specification has been amended to correct a typographical error, and the claims have been amended to improve their clarity and correct certain informalities, however, the scope of the claims remains unchanged in the belief that they patentably distinguish over all of the art of record. As will be discussed in more detail below, none of the art of record, either individually or in combination, shows or suggests the invention claimed by Applicant.

Claims 1-12 were rejected under 35 U.S.C. 112, second paragraph, as failing to comply with the enablement requirement, as well as failing to particularly point out and distinctly claim the subject matter which Applicant regards as his invention. The claims have been carefully reviewed and amended in numerous instances so that that they are now clear and free of indefiniteness. The reference in claim 1 to the sealing bushing as being "rotationally fixed" within the second housing was in error and has been corrected. Claim 1 now calls for the sealing bushing to be axially movable within the second housing part. Accordingly, the rejection of the claims under Section 112 is believed to have been overcome.

Claims 1-12 also stand rejected under 35 USC 102 (b), as being fully anticipated by Gobell et al (US 5,707,186). As will be discussed below, it is believed this rejection is in error because not only does Gobell fail to show the novel combination of features recited in Applicant's claims, the rotary feed through device disclosed in Gobell et al functions in a completely different manner from Applicant's claimed device.

A significant feature of Applicant's invention resides in the fact that the

sliding surfaces of the hollow shaft 4 and the bushing 15 are pressed together in constant contact during the period that the fluid being supplied is switched between the cooling lubricant and compressed air. By this feature of the invention, a gap between the sealing surfaces is never present which would otherwise allow the escape of the supplied fluid. In contrast, the two sealing faces 21, 22 on disks 18, 19 in Gobell et al are pressed into contact only during the period when the pressure of the fluid supplied to connection 14 is above a threshold value. When this pressure is below the threshold value, spring 24 biases sealing member 23 to unseat sealing faces 21, 22, creating a gap allowing the free passage of fluid therebetween. In other words, the sealing surfaces in the reference are normally open, whereas those in Applicant's claimed device are always closed. Thus, the Gobell et al device does not and cannot provide the benefits of Applicant's claimed invention.

Furthermore, contrary to the Examiner's assertions, the second housing part 11 of the rotary union 20 in Gobell et al does not contain first and second supply channels for independently supplying two fluids, and certainly doesn't show a pressure piston closing the rear end of the sealing bushing. Unlike the sealing member 23 in Gobell et al containing an axial bore 40 which opens the end of the sealing bushing, Applicant's claimed pressure piston closes the rear end of the sealing bushing. Moreover, the axial bore 40 in the sealing member 23 is not connected with a source of fluid independent of that supplied to connection 40, and therefore cannot constitute the "second supply channel" recited in Applicant's claims. While it is true that fluid pressure at connection 14 moves sealing face 22 into and out of contact with sealing face 21, this fluid pressure and the construction of sealing member 23 cannot function like that Applicant's device, where the pressure piston increases the pressure of the sealing surfaces which are already in contact with each other. It is only by maintaining constant contact between the sealing faces and using a piston to selectively increase sealing pressure that fluid can be prevented from escaping from the union, while also reducing the wear and tear on the seals which would

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otherwise be caused by applying high sealing pressure to the sealing surfaces at all times. For the foregoing reasons, it is respectfully submitted that claims 1-12 clearly distinguish over Gobell et al and should therefore be found allowable.

Reconsideration of the rejections is respectfully requested in view of the instant amendment and foregoing comments. If the examiner believes that direct communication with Applicant's attorneys which advance the prosecution of this case, he is invited to telephone the undersigned attorney. Applicant believes that this case is in condition for allowance and such action is courteously solicited.

Respectfully submitted,

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